

I.C.R. 6.7. Motion to Dismiss Indictment.

Idaho Criminal Rule 6.7. Motion to Dismiss Indictment.

Grounds for Motion. A motion to dismiss the indictment may be granted by the district court upon any of the following grounds:

(a) A valid challenge to the array of grand jurors.

(b) A valid challenge to an individual juror who served upon the grand jury which found the indictment; provided, the finding of the valid challenge to one or more members of the grand jury shall not be grounds for dismissal of the indictment if there were twelve or more qualified jurors concurring in the finding of the indictment.

(c) That the charge contained within the indictment was previously submitted to a magistrate at preliminary hearing and dismissed for lack of probable cause.

(d) That the indictment was not properly found, endorsed and presented as required by these rules or by the statutes of the state of Idaho.

(Adopted March 30, 1994, effective July 1, 1994; amended March 1, 2000, effective July 1, 2000.)

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